

RP9-95-017V

PATENT



- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
R. Bertram et al.

Before the Examiner:  
Huynh, B.

Serial No.: 09/143,967

Group Art Unit: 2773

Filed: August 31, 1998

IBM Corporation  
PSG Legal Department  
9CCA/002-2

Title: MOBILE CLIENT COMPUTER  
PROGRAMMED TO PREDICT INPUT

P.O. Box 12195  
Research Triangle Park, NC 27709-2195

RECEIVED  
NOV - 9 2000  
TC 2700 MAIL ROOM

November 1, 2000

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER PRIOR PATENTS**

Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, D. C. 20231

**CERTIFICATION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231, on November 1, 2000.

Signature

Gracie Segovia

(Printed name of person certifying)

1. **International Business Machines Corporation** is the owner of all rights in the captioned application.
2. As sole owner in the captioned application, **International Business Machines Corporation**, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No.'s **5,864,340; 5,805,159; and 5,805,158**. **International Business Machines Corporation** hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.
3. In making the above disclaimer, **International Business Machines Corporation**, does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No.'s **5,864,340; 5,805,159; and 5,805,158**, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.
4. **International Business Machines Corporation** certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above.

5. The Terminal Disclaimer fee under 37 C.F.R. §1.20(d) is included.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_

By: \_\_\_\_\_

  
Robert A. Voigt, Jr.

Reg. No. 47,159

Kelly K. Kordzik

Reg. No. 36,571

Barry S. Newberger

Reg. No. 41,527

Attorney for Applicants

5400 Renaissance Tower  
1201 Elm Street  
Dallas, Texas 75270-2199  
(512) 370-2851

::ODMA\PCDOCS\AUSTIN\_1\150555\1  
1162:7036-P151US